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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/806,906	)	Confirmation No.: 2408
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10 Applicant: Langberg et al.	)	
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Filed: March 23, 2004	)	
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T.C./A.U.: 3738	)	
	)	
15 Examiner: Ann M. Schillinger	)	
	)	
Docket No.: PVI-5813CIP1CON2	)	
	)	
Customer No.: 30452	)	
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Commissioner for Patents  
P.O. Box 1450  
25 Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

*Empowerment of Attorney*

Pursuant to 37 C.F.R. § 1.321(b) the undersigned attorney of record is empowered to act on  
30 behalf of the Assignee, Edwards Lifesciences AG (“Assignee”).

*Right of Assignee and Ownership*

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of the entire  
right, title and interest in the above-identified application and co-owned Application No. 09/968,272,  
now U.S. Patent No. 6,709,456, by virtue of the Assignment recorded at Reel No. 015232, Frame  
35 No. 0811 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents  
that, to the best of Assignee’s knowledge and belief, title is in the Assignee seeking to take action.

*Disclaimer by Assignee*

Assignee hereby disclaims, except as provided below, the terminal part of any patent granted  
on the above-identified application that would extend beyond the expiration date of the full statutory  
40 term of U.S. Patent No. 6,709,456, and hereby agrees that any patent so granted on the above-  
identified application shall be enforceable only for and during such period that the above-identified

Serial No.: 10/715,221  
Docket No.: PVI-5813CIP1CON1  
Amendment dated February 9, 2007  
Responsive to Office Action of December 7, 2006

application and U.S. Patent No. 6,709,456 are co-owned. This agreement extends to any patent granted on the above-identified application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of U.S. Patent No. 5 6,709,456 in the event that U.S. Patent No. 6,709,456 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

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FEE PAYMENT

Please charge the necessary fee under 37 CFR §1.20(d) to Deposit Account No. 50-1225 (PVI-5813CIP1CON2).

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Respectfully submitted,

20 Dated: 2/9/07

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